SUSPENSION FROM THE BAR

THREATENS HIS LAWYER. Shert Work Made of the Monkeyshines in

the Northern Pacific-Northern Securities Injunction Cases When They Get Before a United States Judge.

"So much for Mr. Power," said United States Judge Lacombe yesterday after ordering the "vanishing plaintiff" in the Northern Pacific-Northern Securities injunction suits to be committed to jail for thirty days (when caught) for contempt

"And as for you. Mr. Lamb," the Judge went on, turning to George Alfred Lamb, the lawyer who has brought all the Peter Power suits, "as for you, it is the order of this court that you appear at 11 o'clock on Aug. 20 to show cause why you should not be suspended from practice or otherwise admonished for grossly unprofessional conduct throughout this case. On that day there will be at least two, and possibly three, Judges of the district sitting on this bench, and I shall submit to them myself the various papers and a brief order to show cause. You will have an oppotunity to answer."

*But I have committed no offence, your Honor," almost tearfully pleaded the lawyer, jumping on his feet. 'Call the next case," was the reply from

the bench. When the calendar was called at noon Room 124 of the Post Office Building William D. Guthrie and Frank Kellogg were on hand to argue for the defendants the motion to have Peter Power adjudged in contempt of court for neglecting to appear as a witness, though repeatedly subpænaed. When the case was reached Mr. Guthrie and Mr. Lamb both answered

"Is this the case of the vanishing plaintiff?" asked the Court.
"It is," replied Mr. Guthrie.
"Is Peter Power in court now?" again

queried Judge Lacombe.
"Er-um-er-that is, no, sir," answered
Mr. Lamb, precipitately, as the Court

epeated the question. repeated the question.

It was after 4 o'clock when the inter-vening cases had been disposed of. Mean-while Mr. Lamb amused the reporters and

others standing in the halls by suggestions that Peter Power, plaintiff and bride-groom, had been kidnapped by Pinkerton groom, had been kidnapped by Pinkerton detectives employed by Mr. Guthrie. The latter replied to these insinuations that the last man known to have seen Power alive was Lamb himself, and that the kidnapping must be looked for on that side.

When Judge Lacombe called up the

when Judge Lacombe called up the Power motion again Lawyer Guthrie arose and began a history of the case and of the efforts made to compel Power to testify. Power owns 100 shares of Northern Pacific, and he began a suit last January to prevent the retirement of the company's preferred stock. The suit was begun in Minnesota, and Richard A. Mabie was appointed a and Richard A. Mable was appointed a special examiner to take testimony here. Attorney Lamb called many witnesses, among them J. Pierpont Morgan and his business associates. When Lamb had finished taking evidence, the defence gave notice of its intention to call some witnesses.

Meanwhile Peter Power, the complainant, was a mystery. It has lately appeared that he is a law student in Lamb's office at 135 Broadway, resides at 260 West Ninetyninth street and was married a week ago to Miss Camille C. Deane of 242 West Fortyfourth street. The couple have been spending at West Hurley, N. Y., their honey-moon, now to be transformed for the bride-

Mr. Guthrie said that Lamb had promised to produce his client first "to-morrow", then "shortly" and at last practically had refused to produce him. Three weeks passed while Power was on a suppositious wedding tour on a representation that he had been married in June. Finally subporna was issued for July 29; it was served on Power on July 24 in the presence Lamb. The latter told his client to lect the service; the papers dropped on sidewalk and Lamb afterward walked

back and picked up the fee of \$3 that had fallen with the papers.

At this point Judge Lacombe interrupted Mr. Guthrie to ask, "Where is this Mr. Lamb, by the way?" Lamb stood up and he Court looked him over curiously Power did not obey this subpoena, nor another one that followed, but Lamb always maintained that he would produce him int the proper time on proper service."

"That would be July 29 at 11 A. M." dryly interjected the Court. But on July 29, and on Aug. 1, and on Aug. 4 no Power appeared. Finally Judge Thomas, sitting n the United States Circuit Court in Judge Lacombe's absence, issued an order commanding Power to appear yesterday and say why he should not be punished for contempt. Meanwhile Dr. Richard F. Burke of 733 Lexington avenue, had ap-peared and testified that he had found Power suffering from nervous irritability of the heart, intermittent fever and neuras-thenia; too sick to answer a subporna

but not too sick to go downtown and con-suit his lawyer" differentiated the doctor. Additional affidavits and testimony were introduced by Mr. Guthrie showing Lamb's alleged conversations with newspaper men and also the persistent chase kept up by the Pinkerton detectives on Power's where-abouts. The "vanishing plaintiff" was seen on Monday at West Hurley, going

"Shooting at this time of year," remarked Lamb, "what nonsense; that's another offence he's committed." offence he's committed."

Last Monday night, so Mr. Guthrie stated after the last hearing at which Power failed to attend, Lamb met him at West Hurley and the two drove to Carey's Hotel. Lamb came back to New York, but no sign of Power could the detectives find. So Mr. Guthrie asked that an attachment against Peter Power be issued by the Court. When Lawyer Lamb rose to reply his

When Lawyer Lamb rose to reply, his manner was as careless and free as ever he laughed at his opponent's theories. But his friskiness departed under the cross-examination he was subjected to by udge Lacombe.

"Even had my client," he began, "been properly served, even had this court juris-diction, even had the Examiner been empowered to subpæna him, yet he would not be in contempt. We have shown that he is a no fit condition to stand a severe mental

strain."
"Is it a severe mental strain to obey a subpoena?" asked the Court.
"Certainly, your Honor, the examination
would have been a fearful ordeal for a sick

man," answered the lawyer.
"He was well able to go downtown; he should have appeared and then pleaded sickness," said Judge Lacombe. Defeated on this score, the lawyer sought o make the point that adjournments were aken by consent and that there was no "Is there any doubt in your mind, Mr amb, that Power was subpænaed?" queried

"Then he should have appeared if he was here; go ahead and prove it," said the

Mr. Lamb attempted to fell back on the alleged improper service. Then he suddenly asked the Court to grant him a few days to answer the opposing papers. The remainder of the hearing was practically Ideal vacation trips via Day Line steamers. Fine Music. Grand scenery. Perfect comfort. See ad-vertisements. New landing West 129th street.—Adr.

Pocono Mountain Special ria Lackawanna Railroad to Delaware Water Gap. Stroudsburg and Mount Pocono, leaves Fridays and Saturdays at 2 P. M. No stop between New York and the Gap.—Ads.

A MOON IN JAIL FOR P. POWER a cross-examination of the lawyer by Judge Lacombe, as follows:

The Court-Were you not there at the first service?

Mr.Lamb—Yes, but it was not a proper service; the papers never touched Power.
The Court—Well, how about the second Mr. Lamb-That was improper, also. The

Mr. Lamb—That was improper, also. The fees were not correct.

The Court—But I understand you picked up the fees in the first service yourself. What became of them?

Mr. Lamb—Oh. well, I picked them up out of curiosity—simply curiosity. And the second service was a most blackguardly—

The Court—Never mind that. Your client committed contempt when he failed to appear.

Mr. Lamb—He would have appeared had I had a proper chance. These papers were not served on me till Monday, and they were obtained a week before. They could have found me, if not Power—

The Court—It did not seem to do much good to find you, Mr. Lamb, when they served Power there was no need to serve you. Why have you no affidavits from Power in reply to these papers?

Mr. Lamb—He, was in West Hurley and

hese papers?
r. Lamb—He was in West Hurley and there yesterday. I don't know where The Court—But you were there on Monday night. You had been served then; this is all most curious. Mr. Lamb.

Mr. Lamb then began to refer sarcas-Mr. Lamb then began to refer sarcastically to the "eminently dignified and respectable members of the bar" who opposed him. He said that the swearing abilities and consciences of Pinkerton detectives were wondrously elastic, and offered to state, of his own knowledge, that Power was not fit to appear.

"Never mind that," interrupted the Court, "he should be here."

At this point Mr. Lamb picked up his

At this point Mr. Lamb picked up his black bag for some papers. As he did so, the spectators crowded round and craned their necks; it seemed as though every man expected the lawyer to produce Power out of the bag. He didnt. "This is a very serious matter," he said, "and I want at least five days to prepage apswering

at least five days to prepare answering affidavits." "It is a very serious matter," answered the Judge," and I deny you any extension of time. I find that Mr. Peter Power was properly served; that he deliberately dis-obeyed the order of this court; that he could have appeared, and that he stands here in contempt. Rather, he does not stand here, he is in more than contempt by refusing again to appear. For this I order that Peter Power be held in Ludlow Street Jail by the United States Marshal for flagrant contempt of court, and a warrant of committeened with the states of the state

ment will be issued at once."

Judge Lacombe then instructed Mr. Guthrie that on Power's arrest, the defendant counsel should be ready to go on with his examination within forty-eight bours unless he was found physically unfit to leave the jail, in which case another ar-rangement would be made. Then he or-

dered Lamb to show cause as above related.

Mr. Lamb picked up his bag and retired.

In the hall he was asked what he thought:

"It is awful," he muttered, wiping his forehead with a sodden handkerchief.

Further, he said not. Mr. Guthrie said that he did not consider it a victory it was not be. he did not consider it a victory; it was rather a sad, unfortunate affair.

MOUNTAIN TORRENT HITS TRAIN. Wall of Water Eight Feet High Sweeps

Cars From the Train-Tourists Escape. FLORENCE, Col., Aug. 6 .- Three hundred tourists from the East, bound for California, had a parrow escape from death to-day when a westbound Denver and Rio Grande passenger train near Swallows, east of here, was struck by a wall of water eight feet high coming down Peck Creek. The flood was caused by the heavy rains n the mountains south of here yesterday

afternoon. The brakeman saw the torrent when t was only a short distance from the train. He rushed through the eight coaches and told the passengers in the two rear cars to hurry to the front of the train. Just as the last tourist left the rear coach the water struck the cars and, breaking the coupling pins, hurled them into the air and landed them forty feet from the track. The trucks were knocked off the day coach, which after striking the ground went down fifteen feet in the mud. The sleeper was

thrown several feet from the track. The engine was badly damaged by the water, but managed to pull the two cars remaining on the track some distance from the flood and they are now occupied by the tourists and trainmen. No one

2D AVENUE ELEVATED BLOCKED.

was injured.

Electric Train's Air Brake Broke Down -Road Tied Up Most of an Hour.

The electric trains on the Second avenue elevated on the curve at Twenty-third street and Second avenue were blocked for three-quarters of an hour shortly after 10 o'clock last night, and for some time after they started no stop was made by downtown trains between the Thirty-fourth street and Nineteenth street stations.

The delay was caused by an accident to a three-car train in charge of Motorman James Brady. Brady's train was rounding the curve from Second avenue into Twenty-third street on its way downtown, when a jarring and banging under the forward car told the motorman that something was wrong. He found that part of the air-brake apparatus had dropped to the track and the train could not be moved

ping to the street

The passengers were piloted by guards along the footpath to the Twenty-third street station amid should of "Keep away from the third rail." There was some delay in notifying the despatcher's office hence the delay before the stalled downtown trains were sent around the roken-down cars by way of the central

SYDNEY PAGET IN HOSPITAL. Slight Operation to Be Performed -Illness

Sydney Paget, brother of Almeric Hugh Paget, William C. Whitney's son-in-law, is not with the horses at Saratoga, but is in Roosevelt Hospital. He went to the hospital at 6:30 o'clock last night in a cab from the Waldorf-Astoria, and was admitted as a private patient. Mr. Paget's illness, it was said at the hospital, is not of a serious nature. It is understood that he will have a slight operation performed. Mr. Paget is associated with Mr. Whitney

of a dozen horses and recently sold Swiftmas

ing interests. He has a stable

Another huge skyscraper is to be erected on lower Broadway for a syndicate of on lower Broadway for a syndicate of which William P. Jeffery is president. It is to be located on the lots at 36, 38, 40 and 42 Broadway, running through to New street, with a frontage of 116.3½ feet on Broadway and 115.7 feet on New street, and a varying depth of 174.11 11-16 and 197.5½ feet on New street. It is to be twenty stories, rising 249.2 feet above the curb, and will be fitted with twelve passenger elevators. The first floor will be devoted to stores and the rest to offices. The Broadway façade will be of granite and limestone for the first four stories and of brick for the remainder, with elaborately decorated terra cotta work for three stories for the remainder, with classifier acted terra cotta work for three stories above the main entrance. The building is to cost \$2,250,000. The plans have just been filed with the Building Bureau by Henry Ives Cobb, architect.

Race Train to Saratoga. Daily, except Sunday, until Aug. 29, New York Central train leaving at 845 A. M. will have through Pullman car, due at Saratoga 1:40 P. M. First race 2:15 P. M.—Adr.

STRIKE THREAT ON ELEVATED.

ROAD'S HIGHLY PAID MOTORMEN WANT SHORTER HOURS.

They Were Engineers and Worked Nine Signed an Agreement to Keep Their Wages and Work Ten-Now They Would Amend It - Chief Arthur Wired of For and His Assistant Hurrying Here.

The locomotive engineers who have een made motormen to handle the electric motors of the Manhattan Elevated Rail way were talking strike vesterday, though they are probably the highest-paid motormen in the country. Grand Chief P. M. Arthur of the Brotherhood of Locomotive Engineers has been telegraphed for and may be here this week. In the meantime Assistant Grand Chief Youngson of the Brotherhood left Cleveland, Ohio, for this city yesterday to find out what the complaints of the men are and to prevent a strike if possible.

The chief grievance of the engineermotormen is that Vice-President Skitt of the Manhattan company has declined to sign an agreement submitted to him by a committee of the men taking a trip a day off their present schedule, thus shortening

their working day to about nine hours. When electricity was first substituted for steam power on the elevated and the engineers were made motormen the company agreed that \$3.50 a day, the union wages of the Brotherhood of Locomotive Engineers, to which the men belong, should still be paid, though motormen on the surface cars receive \$1 a day, and in some cases \$1.25 a day less than that. It was arranged at the same time, however, that instead of nine hours a day, the previous schedule, the motormen would work ten hours a day, the number of their trips being extended from four and four and a half to six a day. An agreement to this effect was drawn up and signed by representatives of the men and by Mr. Skitt, representing the company.

It is the older men among the engineers who have become discontented with this agreement and who yesterday were talking strike. Some of them have been in the service of the company as long as twentythree and twenty-four years. The comn most cases admit, that the work is lighter. cleaner and more desirable under the motor system than with steam engines. For this reason, it is contended, the men should be willing to work ten hours instead of nine a day.

Since the agreement was signed last February two conferences have been held between Vice-President Skitt, who is also general manager of the road, and repre-sentatives of the men. At the first of these the men's committee demanded that their working day be shortened to nine hours as under the old system, the number of daily trips to be lessened for that purpose.

The committee consisted of William J.

Jenck, Chief of Division No. 105 of the

Jenck, Chief of Division No. 105 of the Brotherhood of Lecomotive Engineers; J. W. Smith of the Second avenue branch, W. C. Hoff, Third avenue; Andrew MacFarland, Sixth avenue, and Frank Parrish, Ninth avenue. A demand was also made for relays at the end of each trip.

This first conference took place a fortnight ago. The demand for a shorter work day was not acceded to. On Tuesday afternoon a second conference took place. A new agreement was then submitted to Mr. Skitt for signature. It provided for five trips a day as a compromise for a nine-hour work day. Mr. Skitt declined to sign it. clined to sign it.

night, telegraphed to Grand Chief Arthur of their Brotherhood at his headquarters in Cleveland, telling him that all their demands had been refused and asking him to come here at once. A reply was re-ceived stating that A. B. Youngston, assistant grand chief, would start for New York at once to investigate the trouble. Chief Arthur, it was inferred, may come

Yesterday afternoon a member of the men's committee received this telegram from Secretary Ingraham of the Brother-

Have your committee meet Youngston t the Broadway Central Hotel, Thursday norning. INGRAHAM. morning INGRAHAM.

H. B. Pinney, chairman of the Joint Protective Board of the two local lodges of the National Brotherhood of Locomotive Firemen, has telegraphed to John T. Canavan, National Grand Master of that brotherhood to come to New York at once and represent the firemen in the trouble. If the engineers strike the firemen also

will go out.

Mr. Skitt said vesterday that he did not think there would be a strike, as he did not like to believe the men would violate a written agreement such as that they signed in February providing for the ten-hour work day. He told the men's committee, work day. He told the men's committee, he said, that the company was not prepared to make the change asked for, and in reply they said nothing to indicate that there would be a strike. The men talked of seeing George J. Gould, Mr. Skitt said, but he assured them that he had full power to act. Assistant Manager Grape said to a Sun

reporter:
"The ten-hour and six-trip schedule has been adopted and will not be changed. The men have nothing to kick about. There are no other motormen in the country who are receiving \$3.50 a day. Their work is cleaner and lighter than the work of engineers and not anything like as hard as that of the motormen on the surface roads, whose nerves are kept on the rack all the

time."
Several of the engineer-motormen on the Second and Third avenue lines, on which the motors are used at present, said that they did not want a strike and did not expect one. Others shook their heads and said they didn't know what might happen. Among the conductors, whose top wages are \$2.50 a day, there is little sympathy for their discontented comrades. Chairman Jenck of the committee which waited on Mr. Skitt said that under the new system the men have to work eleven and twelve hours a day.

"When steam was used on all the lines,"

"When steam was used on all the lines," he said, "the four and a half round trips took on an average nearly ten hours. Electook on an average nearly ten hours. Electric motors start more quickly than locomotives, so it was thought by the company that we could make six trips in ten hours. But experience has shown that we can't. There is a bell in each car which must be rung before a train starts. This takes time and the six trips occupy from eleven to twelve hours. The question was brought up at our meeting and it was finally decided to ask for five trips a day, which might take ten hours on an average. Mr. Skitt refused to agree to this."

Regarding the possibility of a strike, Mr. Jenek said that Chief Arthur had been communicated with and his word would go with the men.

go with the men.

The committee which visited Mr.Skitt with the men's grievances held a meeting late last night at the house of Chairman Jenck.
The agreement which Mr. Skitt refused to sign was read and discussed and it was decided to stand or fall by it.

There are no less than twenty-three articles in the agreement, the principal articles providing for the nine-hour work day and \$3.50 a day. There was also an article providing that firemen promoted to be engineers should receive \$3 a day

Burnett's Cocoaine promotes the growth of the hair, and renders it dark and glossy. -Adv. 980 Miles in 20 Hours. The new "20th Century Limited" of the New York Central and Lake Shore does this every day, and effects a great saving to the busy man who travels between the East and West.—Adv.

for the first six months, \$3.2; for the second, and \$3.50 after that.

The engineers and firemen held a mass meeting in the Horton Building, 110 East 125th street, late last night and were addressed by officers of the different branches. Some of the engineers and firemen said there were ready to strike if ordered. they were ready to strike if ordered, but that the decision would be with the grand

officers.

It was announced at the meeting that Grand Chief Canavan of the Brotherhood of Locomotive Firemen is on his way here from Peoria, Ill. F. Before a strike of the Elevated's engineers can be ordered, their grievances must first be considered by the local division of the brotherhood If the officers fail to bring about a settlement the Grand Lodge is next asked to straighten out matters if possible. If its representative fails to bring about a settlement the local division must take a vote before there can be a strike, and the vote must be approved by the Grand Lodge. A strike ordered in any other way would be unauthorized.

A strike might be extended to all the Gould lines. At present the Second and Third avenue elevated roads only are equipped with the third rail and electric motors, and on these lines a few steam trains are still running. On the Sixth and Ninth avenue lines the steam trains are still used exclusively.

On a limited volume of business Man-hattan Elevated stock declined fractionally hattan Elevated stock declined fractionally on the Stock Exchange yesterday. Around the opening the stock touched 138½, which was the top figure of the day. It closed at 135½, which was three-quarters of a point under the closing price of Tuesday. The total sales were only 9,200 shares.

CLEVELAND, Ohio, Aug. 6.—P. M. Arthur, Grand Chief of the Brotherhood of Locomotive Engineers, returned to-day from

motive Engineers, returned to-day from the East and found waiting him the telegram from the New York elevated engineers asking him to go to that city at once. He sent A. B. Youngson, Assistant Grand Chief. Mr. Youngson will arrive in New York to-morrow morning and according to the rules of his organization, will ex-haust every effort to adjust the engineers'

CUBAN INSULTS MRS. SQUIERS. Our Minister Protests Against Policeman's Act and Apology Is Made.

Special Cable Despotch to THE SEN

HAVANA, Aug. 6 .- Mr. Squiers, the American Minister, has complained to Senor Tamayo, Secretary of Government, that Mrs. Squiers has been insulted by a policeman. Mrs. Squiers had driven to the Hotel Inglaterra in a hired carriage with her own footman on the box to visit the wife of the French Minister. As the carriage stopped at the curb in front of the hotel a policeman, who was subsequently joined by two other officers, ordered the coachman to drive on and told the footman to come off the box. When told that the wife of the American Minister was in the carriage the

iterated his order that the carriage drive off and the footman get off the box. Mr. Squiers says that if the policeman had acted in accordance with any municipal ordinance, he would respect it, but that as the wife of a Minister Mrs. Squiers should not have been treated as she was.

policeman shrugged his shoulders and re-

The matter was referred to the Avuntamiento, which directed the Mayor to apologize in its name. The Chief of Police has explained to Mr. Squiers that the municipal ordinances forbit carriages stopring at the curb in front of the Hotel Inglaterra and that it is also forbidden for two persons to sit on the box of a hired carriage. Nevertheless three policemen have been suspended and two discharged for their behavior toward the Minister's wife.

It appears that errors were made yesposed increase in duties to provide for the new loans. The increase in the duty on coal should have been 25 cents per 1,000 kilos, on soap 100 per cent., on bacon 50 on lard 80, on flour 50, on codfish 50 and

KITCHENER TO MARRY? London's Gift of Service of Silver Plate Starts the Rumor.

LONDON, Aug. 6.—There was a repre-sentative assemblage at the Guild Hall to-night to participate in the city of London's official welcome to Field Marshal Earl Roberts, Commander-in-Chief of his Majesty's forces, and Gen. Lord Kitchener, lately Commander-in-Chief of the British South African forces, and the presentation of an artistically wrought golden casket to Earl Roberts and a service of silver

plate to Gen. Kitchener. The plate was substituted for a casket in Gen. Kitchener's case at his own request, and this circumstance has provided gossips with an excellent opportunity for inferring that he contemplates a speedy matrimonial alliance.

The Lord Mayor 'presented addresses to the Generals on their South African achievements. Both the commanders received ovations.

In returning thanks for his gift, Gen. Kitchener said that the honors conferred upon himself were a just appreciation of the army in South Africa, which was an imperial army, it having been drawn from all quarters of the globe. As a fighting machine it was hard to beat. Both Generals eulogized the Colonial troops for their services in the war .

COLOMBIAN TOWN BOMBARDED. Shells From the Bashir Explode Powder Magazine in Rio Hacha, Held by Rebeis.

Colon, Aug. 6 .- The Colombian warship Bashir, which was recently purchased from Morocco, has, according to advices received here, bombarded the town of Rio Hacha. Her fire exploded the powder magazine in the town. Troops were landed from the warship in the vicinity of Rio

Hacha, which is held by the rebels.

A despatch from Panama states that more deserters from the rebel camp have arrived at the village of San Carlos. They report that Gen. Herrera, the rebel leader, who is attacking Agua Dulce, is short of ammunition. The fighting there continues,

CALL ROYAL DECORATIONS TOYS. German Social Democrats Play a Joke on the Government.

BERLIN, Aug. 6.-The Social Democrats played the Government an amusing trick at to-day's sitting of the Tariff Commission. The chairman suddenly discovered that an amendment to an item under discussion classified orders bestowed by sovereigns among children's toys and proposed to levy a duty of 1,000 marks on them "without regard to material or weight." Count l'osadowsky-Wehner, Imperial Min-

count resadows, retained that the com-ister of the Interior, declared that the com-bination of terms was bound to wound the feelings of every loyalist and if it were per-sisted in he would withdraw from the dis-cussion. The amendment was dropped.

The "Colorado Special" to Denver
from Chicago is only one night en route, leaving
Chicago 6 30 P. M. daily. Low excursion rates
every day via Chicago & North-Western and Union
Pacific Bys. Offices 237 and 461 Broadway.—Ads.

TRACY ENDS HIS WILD CAREER.

WOUNDED AND FACING CAPTURE, OUTLAW KILLS HIMSELF.

Seven Victims of His Skill With the Rifle Since His Escape From Oregon Penitentiary Two Months Ago-After a Chase in Two States He Turns the Gun on Himself-Posse to Get 86,000.

TACOMA Wash., Aug. 6.-After being at arge from the Oregon Penitentiary for two months, during which time he killed seven and wounded three men, Harry Tracy ended his eventful career last night in a wheat field near Fellows, eastern Wash- Helen Manchester Gates in London on ington, by shooting the top of his head off.

Closely pursued by five men from Creston. Wash, who had the nerve to advance on the desperado under fire, he had escaped into a wheat field. He had been wounded in the right leg between the knee and thigh, and, seeing that his capture was certain, he killed himself.

His body was found early this morning. Two bullet wounds in the left leg showed the cause of the man's act. One had broken in old monasteries and eastles he succeeded the leg between the ankle and the knee. and the other one had cut an artery. The murderer had taken a strap and buckled him a legacy of \$250,000 and the residuary it tightly around his leg. Despite this the bleeding continued and Tracy, probably realizing his hopeless condition, ended

the struggle. When the news arrived yesterday of the presence of Tracy in the vicinity of Creston a posse, working independently of Sheriff Cudihee or other officers, was organized This consisted of C. A. Straub, deputy Sheriff; Dr. E. C. Lanter, Attorney Maurice Smith, J. J. Morrison, a railroad section foreman, and Frank Lillengren. They headed at once for the L. B Eddy ranch, eleven miles southeast, where Tracy had spent Sunday. Arriving near the ranch shortly after 4 o'clock in the afternoon Eddy was seen working in one of his fields The posse approached, and at that moment Dr. Lanter saw a man step from the barn, some distance away.

"Is that Tracy?" he asked. "It surely is," replied Eddy. The party separated, Lanter and Smith accompanying Eddy in the direction of the barn, while the other two men swung around to cut off any break for liberty in another direction.

When Lanter and Smith got near enough to Tracy, they shouted: "Hold up your hands!" The outlaw jumped behind Eddy and commanded the farmer to lead his horses to the barn. Under this cover he moved toward shelter. When near the stable he broke and dashed inside. He quickly reappeared, rifle in hand, and started on a dead run down the valley. Turning he fired two shots, but without

result.

Coming to a big rock, Tracy dodged behind it, and sighting his gun, began a fusillade. Eight shots in all were fired by the outlaw. Tracy's star was beginning to set. None of the shots took effect. The posse continued to advance and seeing how ineffective were his efforts, Tracy made a dash for the wheat field. Just as he was entering the field he stumbled and fell, but crawled into the protecting grain on his hands and knees.

It was then getting dark and the posse

It was then getting dark and the posse decided to surround the place and await daylight. In the meantime Sheriff Gardner and others arrived. In the morning they searched the field and found the body. For some time the body was publicly chibited on a street corner. Then it was

exhibited on a street corner. Then it was removed to the police station. Davenport is crowded with eager throngs of townspeople and ranchers, all anxious to see the dead outlaw's body. An inquest held this afternoon found that Tracy died of wounds self-inflicted.

Every one has words of praise for the five members of the posse. These men and the Goldfinch boy, who telephoned news of Tracy's presence at the Eddy ranch, are believed to be entitled to the reward of \$6,000. Orders have been received from Gov. Geer of Oregon to hold the body of Tracy until it is identified.

Two States and thirteen counties, two

Two States and thirteen counties, two in Oregon and eleven in Washington, have spent about \$40,000 in the hunt for Tracy. He traversed Multnomah county, Ore, and Clark, Cowlitz, Lewis, Thurston, Pierce, King, Kittitas, Chelan, Douglas and Lin-coln counties, Wash. These, together with Spokane county, where Tracy was heading, all joined in the chase.

Tracy and another convict named Merrill escaped from the Salem, Ore., penitentiary on June 9, killing three guards and wounding another. Tracy had previously killed a deputy Sheriff in Colorado, but escaped conviction. He and Merrill travelled to-gether for the next three weeks, keeping ahead of their pursuers by riding stolen horses. At one time they held up two members of a posse and took their horses. At another they were surrounded by 250 militiamen, but broke through the cordon.

militiamen, but broke through the cordon. Early in July Tracy was seen alone, and he announced that he had killed Merrill in a duel, admitting that he treacherously fired before the agreed signal. Merrill's body was found later. On July 3 Tracy was overtaken by a Seattle posse, and in the ensuing fight he killed two deputies and fatally wounded another. He then continued his flight on stolen horses until he reached Puget Sound, where he held up a small ed Puget Sound, where he held up a small fishing schooner and compelled the crew to take him to a point further on. All during his flight he got food and clothing at farm houses, taking what he wanted at the point of a revolver. Several times he was closely of a revolver. Several times he was closely pressed by his pursuers and a number of times he exchanged shots with them.

DISROBING ACT ON BROADWAY Curious Crowd Sees a Thorough and Successful Hunt for Tobacco.

A man about 35 years old stopped on the west side of Broadway between Thirtythird and Thirty-fourth streets about o'clock last night and began to search through his coat pockets as if he had lost everything he had. He removed his coat and hunted in the inner pockets. Then he dropped the coat on the walk.

Then he removed his waistcoat and went through its pockets inside and out. The waistcoat joined the coat on the sidewalk and the crowd of watchers, some of whom were women, increased. Then he began to search his trousers pockets. The trousers were creased and turned up at the bottom. He couldn't find what he was looking for in the pockets and before the surprised spectators realized what he was about to do he had slipped out of his trousers.

When he got out of his trousers he held them up and turned them inside out. Then he felt them all over carefully, even unrolling the turned-up section. From the roll of the right leg a piece of plug tobacco dropped to the pavement. The man grabbed

"I've found you at last," he said, "I've found you at last." Then he put the tobacco in his mouth, donned his clothes and walked to Thirty-

third street, disappearing toward Fifth avenue. Not till he was out of sight did a

SURGEONS AT A. M. HUNTINGTON. Successful Operation for Appendicitis at His Home, "Pleasance."

Archer Milton Huntington, son of Mrs. Arabella D. Huntington, and adopted son of the late Cellis P. Huntington was operated on for appendicitis yesterday his home "Pleasance," Bay Chester. The operation was performed by Dr. W. T. Bull, who was assisted by several other surgeons from New York. The operation was successful, and Mr. Huntington was reported last night to be doing well.

Mr. Huntington was born in this city on March 10, 1870. He was educated by private tutors here and in Spain and subsequently received the honorary degree of A. M. from Yale. He was married to Aug. 6, 1895. He is the author of a number of books on Spain and Spanish literature and is the possessor of a library of this literature that is reputed to be unequalled in private collections. Year after year Mr. Huntington has made a trip to Spain in search of rare books.

It has been his custom to leave the beaten tracks of the railroads and to travel by mule into the little mountain villages, where in unearthing volumes priceless to a collector. Collis P. Huntington's will left interest in a specific trust fund of \$500,000 established for his mother, to whom, also, the larger part of the estate was left.

A VICTORIA IN THE SUBWAY. Driven Two Blocks to an Incline and Then

Out-No One Hurt. A victoria carrying three men and driven by Harry F. Campbell tumbled into an eight-foot trench where the Rapid Transit subway is being constructed at Broadway and Sixty-third street last night. The victoria was wider than the car tracks and the hub of one of the wheels tore away the railing alongside of the excavation.

The three men, driver, horse and victoria, were all jumbled up but no one was hurt. The occupants of the rig wouldn't give their names. After the harness had been repaired, Campbell drove his horse through the trench to Sixty-first street, where there is an incline, and thence to the street.

SAYS CONDUCTOR DREW PISTOL. Strone and He Disputed Over a Transfer and a Row Followed.

James Butler of 531 West Forty-ninth street, a conductor on the Eighth avenue line, was locked up in the Charles street police station last night on the complaint of John T. Strone, a real estate and insurance broker at 100 Broadway, who charged the conductor with assault.

Strone told the police that he boarded an Eighth avenue car uptown and, finding it was to stop at Thirteenth street, secured a transfer for a South Ferry car. He got off at Fourteenth street and, getting on Butler's car, offered him the transfer. Butler, he says, refused to take it, saying that he should have boarded the car at Thirteenth street.

A fight followed, and Strone and two witnesses of the affray say that the conductor drew a revolver, which fell from his hand and was carried off by a street gamin. Policeman Guerin heard the row and placed Butler under arrest. The policethrough to South Ferry, however, and this was done. Strone and his witnesses accompanied the policeman and his prisoner to the Battery, where the car was turned over to an inspector of the road. Butler was then taken to the station house.

CLARA BARTON AND THE CZAR. He Wouldn't Let Her Kiss His Hand

Shook Hers, American Fashion. Miss Clara Barton, president of the American Red Cross Society, arrived yesterday from Hamburg aboard the Hamburg-American liner Pennsylvania. attended the conference in Europe of the International Red Cross Association, at which representatives of most of the nations

appeared. Miss Barton says that her journey through Russia impressed her tremendously. The Czar put the Imperial trains at her disposal. When she was presented to him she bent to kiss his hand, intending to follow the custom of the country. He drew back, saying, "Not you, Miss Barton," and shook her own hand heartily.

Miss Barton says she believes the Czar is earnest in desiring universal peace. She was decorated by him with the highest order bestowed on one not of royal blood.

Masts That Weigh Nine Tons. BABYLON, N. Y., Aug. 6.-Three poles, measuring 160 feet in length and weighing nine tons altogether, arrived here to-day from South Wellfeld, Mass., consigned to the Marconi Wireless Telegraph Company, which is to have a station here. The poles are of Oregon pine and are two feet in

The new station will be for the instruction of operators and will be kept open day and night and will operate with the one at

Sagaponae. WOMEN HIRED AS PAINTERS. Syracuse Union Men Say They're Working

on State Fair Buildings. Syracuse, Aug. 6.—The local painters' union has sent a committee to Gov. Odell asking him to help them secure the painting at the State Fair. Business agent Frank Fenner of the union says that Italian women are employed to paint the buildings at the fair grounds and he considers this an in-sult to Syracuse painters. He describes the women as being dressed in blouses and daubed from head to foot with paint

ROCKEFELLER BUYS TWO FARMS. Adds Ninety Acres to His Country Place Near Buttermilk Hill.

TARRYTOWN, N. Y., Aug. 6.—John D. Rockefeller has added more land to his large estate. He recently purchased the Hudson Dion farm of seventy acres and the Sylvester Van Tassel farm of twenty acres. Mr. Rockefeller paid big prices for the land, but he wanted it to complete his holdings in the neighborhood of Buttermilk Hill, which is the highest point in Westmilk Hill, which is the highest point in Westchester county.

Latest Marine Intelligence

Arrived: Ss Strathord, Philadelphia, Aug. 5.

The Detroit and Chicago Limited leaves Grand Central Station 4:00 P. M., arriving Chicago 3:15 next day. Twenty-four-hour train via New York Central and Michigan Central.—Adr.

20 Hours to Chicago.

New York and Chicago drawn closer by the spiendid service offered by the Pennsylvania Special. It runs every day in the year.—Adv.

PRESIDENT TO THE GUNNERS.

PRICE TWO CENTS.

GIVES THEM PRIZES AND SHAKES THEIR HANDS.

He Is a Much-Interested Observer of the Mayflower's Target Practice in Gardiner's Bay -The Sallormen Catch His Enthusiasm and Make Good Showing.

GREENPORT, L. I., Aug. 6.- The converted cruiser Mayflower had her first regular target practice in Gardiner's Bay about twelve miles from this port to-day. The President, for whose convenience the Mayflower has been held in the neighborhood of Oyster Bay for some time, was the principal and most enthusiastic spectator. He had his marine glasses at his eyes every time a gun was fired watching its effect on the target. When a cartridge jammed, or there was a slight delay for any cause, he made for the place of the trouble

The men behind the guns caught his enthusiasm and the ship's company was on a keen edge all through the day. It is the President's hope that his presence on the Mayflower to-day during her first regular practice may make the enlisted men of the navy appreciate their high responsibilities. He feels that no matter what ships the country may have and no matter how fine their armament, all will go for nothing if the men do not shoot

The Spanish war showed that the navy had a protty good lot of marksmen. The standard exhibited then is to be maintained and improved, if possible. The President hopes to make the Mayflower a sort of gunnery school and experiment ship for the whole navy. He believes that as new ideas in gunnery come up the Mayflower will be the ship on which they may be tested to the best advantage. Accordingly, he wants the Mayflower to develop gun-pointers of the very highest efficiency. That is why he went aboard the Mayflower to-day and why he gave cash prizes to the members of the gun crew that did the best shooting.

In two minutes' firing at a range varying from 1,600 to 1,400 yards, twenty shots were fired, of which sixteen punctured the target. The target was sixteen feet tall and twentyfour feet long. The prize crew manned gun No. 9, a six-pounder on the starboard quarter. The gun captain was Coxswain W. J. O'Donnell and the other gunners were Coxswain F. Crowley, Seaman G. C. Grimm and Ordinary Seaman A. W. Hilldebrand. O'Donnell received \$20 with the President's congratulations and the others \$5 each. The men were too much overcome to say anything, but they went forward in such an exalted frame of mind that their shipmates were moved to lavish chastening language on them.

When Coxswain Crowley got into the language zone the first greeting that caught his ears was: "You son of a sea cook, 'cause you've got a dollar, you think you're the whole bunch, don't you?"

Nevertheless, it was easy to see that the Mayflower's crew regarded O'Donnell's marksmanship as a matter for talking about in no small tone of voice when they meet the men of other ships.

The practical effect of such marksmanship as was shown by the winning crew may be best explained by this statement: A torpedo boat, which is about as easy to man decided to allow Butler to run his car hit as the target used to-day, would almos certainly be put out of action by four sixpounder wounds. A torpedo boat approaching the Mayflower would have been subjected to the fire of five six-pounders. With such marksmanship as that shown by the crew of No. 9 gun, eighty shots would have been pumped into that torpedo boat in two

After the shooting the crew of the Mayflower was mustered and the President addressed these remarks to Capt. Gleaves and his men: "I wish to say a word to all the officers and enlisted men, a word of gratification for the showing you have made to-day. I hope that this will be but the beginning of a practice which is to make the Mayflower stand as the crack gun ship in the United States Navy. One or two of the gun crews had hard luck, notably the marines of the port one-pounder, the gun that fired twenty-eight times. The target drifted, which makes that record no fair

test as regards that crew. "I am pleased with the showing you have "I am pleased with the showing you have made, and I expect next time to see a material improvement. Now, just one word to the enlisted men, marines, and sailors, both to the men behind the guns and in the engine room. It is a credit to the navy as a whole when the crews of a single ship do well. Each man who does well reflects credit upon the navy. Every man who does badly reflects discredit upon it. I know I can count on all aboard this ship. does badly reflects discredit upon it. I know I can count on all aboard this ship, as all on board all the other ships of the navy. I expect that each man will so do his duty as to reflect credit on the whole navy. I should now like to see the men of the winning gun crew."

The victorious four were marched out, and the President said to them: "I am very much pleased with your work to-day."

and the President said to them: "I am very much pleased with your work to-day. I want to say that if you keep up this record it will be difficult to find a better 6-pounder crew in the navy. In the training of first class gun pointers like you [To O'Donnell] is the solution of the problem of obtaining the highest efficiency for the navy."

The President then handed the prizes to the men and shook hands with them. saying to each one, "Good luck to you!" Eich man ducked his head, grinned consciously and then walked away.

sciously and then walked away.

The President had a little chat with the warrant and petty officers later. He told them that on the non-commissioned officers them that on the non-commissioned officers of the army and on themselves rested a great deal of the responsibility for the valor of the enlisted of the two services. They were close to the bluejackets; they set an example for the enlisted men: on their zealousness the responsibility for the honor or shame of the navy might any day be staked if war should come.

The Sylph, with the President and Mrs. Roosevelt aboard, hailed the Mayflower at 8:15 o'clock this morning. The Sylph arrived in Gardiner's Bay at 10 o'clock last night and lay at anchor until some time.

night and lay at anchor until some time after daybreak. The President's flag fluttered from the Mayflower's main truck

to the booming of a twenty-one-gun salute at exactly 8:25. Mrs. Roosevelt remained aboard the Sylph.

The target had been placed two miles due east of the Gardiner's Light buoys. Two small boats were anchored fifteen hundred varies from the target. They marked the

small boats were anchored fifteen hundred yards from the target. They marked the course over which the Mayflower steamed while her gun banged away at the target. The target itself was of a better kind than usual for 6-pounder practice.

The Mayflower has ten 6-pounders, two 1-pounders and two Colt "splutter" guns. The Colts were not fired. The first crew to get to work did not distinguish litself. Everybody seemed to be impressed with the fact that the Commander-in-Chief of the Navy was on the bridge, and fingers turned to thumbs right through the crew. Fourteen shots were fired in two minutes

Cranberry Lake and Back, \$1. Excursions every Sunday to the Lackawanna Rallroad's new picnic resort. Special train leaves New York at 845 A. M.; returning, leaves the lake at 6:15 P. M. Delightful ride through Summit, Morristown and all the Oranges.—Adv.